

Remarks

Claims 1-15, and 79-99 are pending the application. Claims 16-78 have been previously canceled without prejudice. The Applicant expressly reserves the right to prosecute in subsequent divisional applications or continuing applications or both claims covering the subject matter of the claims canceled. 35 U.S.C. §§ 120-121.

Claims 1, 6, 9, and 13 have been amended. Claim 1 has been amended to correct the range of carbon atoms for R². Claims 6, 9, and 13 have been amended to correct typographical errors and errors of form (please note that in amended claim 6, the subscript 4 to the right of the underlined subscript 2 has a strikethrough which may be difficult to see because it is the number 4). Support for the claim amendment can be found throughout the application, including the claims as originally filed. Importantly, no new matter has been added to the claims. The amendments to the claims should not be construed to be an acquiescence to any of the rejections. The amendments to the claims are being made solely to expedite the prosecution of the above-identified application. The Applicant reserves the right to further prosecute the same or similar claims in subsequent patent applications claiming the benefit of priority to the instant application. 35 USC § 120.

Declaration

The Examiner contends that a supplemental declaration identifying a specific error being corrected needs to be filed. Please find enclosed with this Amendment and Response a supplemental declaration identifying a specific error being corrected along with the claims with all amendments to date.

Response to Rejections under 35 U.S.C. § 112¶2

Claims 1-15 and 79-99 stand rejected under 35 U.S.C. § 112¶2 based on the Examiner's contention that they are indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Applicants respectfully traverse this rejection.

The Examiner contends that the range of carbon atoms for R^2 in claim 1 has been changed on line 14 to begin from 2, but not on the fourth line from the end of claim 1. The Applicants wish to point out that in their response, dated April 5, 2004, which preceded the Examiner's final office action dated July 30, 2004, the Applicants did amend claim 1 to correct the carbon range to read from 2 to 9 or from 19 to 23.

The Applicants tried to make the same amendment to claim 1 a second time in their response dated January 31, 2005, to the Examiner's final office action, but the Examiner took the position that such an amendment raised new issues and issued an Advisory Action. The Applicants respectfully submit that their response dated April 5, 2004, effectively addressed the Examiner's 112¶2 rejection and that this rejection should not have been repeated in his final rejection. Solely to expedite prosecution, though, the Applicants are submitting this response to again amend claim 1 accordingly. The fourth line from the end of claim 1 as amended has the range of carbon atoms for R^2 beginning from 2. Therefore, the claims as amended particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Accordingly, the Applicants respectfully request the withdrawal of the 35 U.S.C. § 112¶2 rejection of claims 1-15 and 79-99.

Fees

The Applicants believe no fee is due in connection with the filing of this paper. Nevertheless, the Director is hereby authorized to charge any required fee to our Deposit Account, **06-1448**.

Conclusion

In view of the above amendments and remarks, the Applicants believe that the pending claims are in condition for allowance. If a telephone conversation with Applicant's Agent would expedite prosecution of the application, the Examiner is urged to contact the undersigned.

Respectfully submitted,
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